

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

In the matter of the petition of VERLIN ALEXANDER) No. 07-cv-1, JJF Civil Action
) 2007
) Habeas Corpus

THE STATE OF DELAWARE,

To: JOSEPH R. BIDEN, III ATTORNEY GENERAL OF DELAWARE

You are commanded:

To have VERLIN ALEXANDER who is allegedly detained in your custody, before the SUPERIOR Court of the State of Delaware, at the NEW CASTLE County Court House at 500 N. KING ST. WILM., DEL. 19801 immediately after the receipt of this Writ; and to abide any order which the Court shall make concerning Petitioner.

And further, to certify fully in writing under oath the true cause of VERLIN ALEXANDER detention, and to have there a copy of all process or Orders, if any, under which he is detained and also this Writ.

Prothonotary

Dated: _____

To the above Named _____:

In case of your failure to produce VERLIN ALEXANDER as above commanded, and fully certify in writing under oath the true cause of VERLIN ALEXANDER detention, with a copy of all process or orders, if any, under which VERLIN ALEXANDER is detained, within 3 days after service hereof upon you if the place where he is detained is not more than 20 miles from the County Court House, or within 6 days if such place is more than 20 miles, you may be adjudged to be in contempt of court.

Prothonotary

State of Delaware)
)
_____County) ss

_____, Sheriff of _____ County,
deposes and say that he/she served personally upon _____ the
original Writ of Habeas Corpus of which the within is a true copy, by leaving the original Writ with
_____ on _____,

20_____

Prothonotary

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
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In the matter of the petition of) No 07-CV-1 JJF Civil Action
VERLIN ALEXANDER) 2007
) Habeas Corpus

THE STATE OF DELAWARE,

MEMORANDUM IN SUPPORT OF WRIT OF HABEAS CORPUS

The petitioner, VERLIN ALEXANDER submits this memorandum in support of his petition for Writ of Habeas Corpus. The Petitioner states the following in support:

1. The Criminal Action Number in this case is: 0511011555.
2. Petitioner is being unlawfully restrained of his liberty, in violation of the laws of the State of Delaware, by reason of: ON DECEMBER 20, 2005, PETITIONER TURNED HIS SELF INTO PHILADELPHIA, PA. POLICE FOR A WARRANT ISSUED FOR HIM, OUT OF THE STATE OF DELAWARE. PENNSYLVANIA HOLD PETITIONER FOR (90) NINETY DAY'S AFTER PETITIONER DID SIGN WAIVER FOR DELAWARE TO EXTRADIT HIM. PETITIONER WENT TO COURT EVERY (30) THIRTY DAY'S AND ON THE 90TH DAY, PENNSYLVANIA DID RELEASE PETITIONER
WHEREFORE, the petitioner prays the court will read his petition and grant the writ.

Dated: June 15, 2007

Verlin Alexander
SBI #098778 PRO-TRIAL A-7
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

DUE TO DELAWARE'S REFUSING TO COME WITH ANY EXTRADITION PAPERS FOR PETITIONER; KNOWING AT ALL TIMES WHERE PETITIONER WAS. BUT, ON OCTOBER 26, 2006, THE U.S. MARSHALL'S TASK FORCE CAME TO PENNSYLVANIA, WITHOUT ANY PENNSYLVANIA AGENT'S TO THE PETITIONER'S HOME AND RE-ARRESTED PETITIONER ON SAME CHARGE THAT DELAWARE REFUSED TO EXTRADIT PETITIONER ON BETWEEN DECEMBER 20, 2005 AND MARCH 20, 2006; PLUS THE U.S. MARSHALL NEVER PRESENTED A WARRANT OF ANY KIND TO THE PETITIONER. IN ALL, THIS CAUSING A (1) ONE YEAR, PLUS DELAY IN BRINGING PETITIONER TO TRIAL UNDER THE SIXTH AMENDMENT OF THE UNITED STATES CONSTITUTION. PLUS, DELAWARE VIOLATED THE TERMS OF THE UNIFORM CRIMINAL EXTRADITION ACT BY EXTRADITING PETITIONER UNTIMELY ON OCTOBER 26, 2006; AFTER MAKING THEIR FIRST RE-QUISITION FOR PETITIONER IN DECEMBER 2005 AND FAILING TO PROCEED WITH TRANSPORTING AND TRYING THE PETITIONER. ALSO, WAS IN KNOWING VIOLATION OF SAID EXTRADITION ACT WHEN DELAWARE MADE THEIR SECOND REQUISITION IN OCTOBER 2006. DELAWARE DID FILE WARRANT ON/OR ABOUT DECEMBER 15, 2005, BUT NEVER SOUGHT TO PERFECT THEIR RIGHT TO OBTAIN THE PETITIONER. IN ADDITION, VIOLATING THE DETAINER'S STATUS AND TO BRING THE CASE TO TRIAL IN OVER (15) FIFTEEN MONTH'S, WHICH VIOLATED PETITIONER'S SPEEDY TRIAL RIGHTS, TO THE EXTENT TO WHICH THE EVENT CAUSING THE DELAY WAS WITHIN THE CONTROL OF THE STATE OF DELAWARE AND THE STATE OF DELAWARE WAS AT FAULT IN CAUSING THE DELAY. PETITIONER ALSO ASSETS, THAT THE STATE OF DELAWARE CAUSED A (18) EIGHTEEN MONTH DELAY IN BRINGING PETITIONER TO TRIAL;

(3) MONTH'S IN THE PHILADELPHIA, PA. DETENTION CENTER WAITING EXTRADITION, IN WHICH DELAWARE REFUSED TO TRANSPORT PETITIONER;
 (7) SEVEN MONTH'S AT PETITIONER'S RESIDENCE, 1342 FOULKROOST, APT#5, PHILA., PA. AND (8) EIGHT MONTH'S IN H.R.Y.C.I., WITH NO RESPONSE WHATSOEVER FROM MR. DADE D. WERB, MY PUBLIC DEFENDER TO THOSE FACTS AS REQUESTED IN SEVERAL DOCUMENTS DRAWN UP BY THE PETITIONER AND SENT TO MR. WERB, SINCE DECEMBER 13, 2006 THRU JUNE 5, 2007 INCLUDING SEVERAL REQUEST'S FOR MR. WERB'S ASSISTANCE, TO NO AVAIL; PLUS FOR PETITIONER TO GO PRO-SE. ALL DOCUMENTS SENT IN BY THE PETITIONER ARE ON FILE IN THE PROTHONOTARY'S OFFICE FOR REVIEW AND ALSO DOCUMENTS WERE SENT TO SEVERAL OTHER OFFICIALS REPRESENTING DELAWARE AND STILL HAS GOT NO RESPONSE FROM ANYONE EXCEPT THE HONORABLE JUDGE JOSEPH J. FARNAN, JR. ON THIS HABEAS CORPUS DOCUMENT, WHICH WAS SUBMITTED ON AND SERVED ON MARCH 23, 2007 TO BE ANSWERED BY MAY 7, 2007, WHICH GOT EXTENDED TO MAY 30, 2007, WHICH GOT EXTENDED AGAIN TO JUNE 15, 2007.

Under Albany

Delaware Correctional Center

1181 PADDOCK ROAD

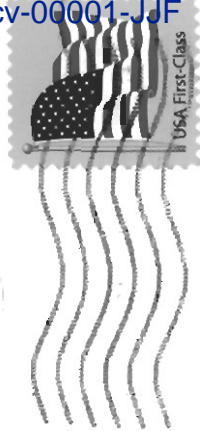
SMYRNA, DEL. 19977

PRE-TRIAL A-7 SER.#098778

Worlin Alexander
 SBI #098778
 Pre-Trial A-7
 Delaware Correctional Center
 1181 Padock Road
 Smyrna, Del. 19977

SOUTH JERSEY NJ 080

16 JUN 2007 PM 6 T



To/ HONORABLE JUDGE JOSEPH J. FARVAY, JR.

1/6 OFFICE OF THE CLERKS

U.S. DISTRICT COURT

DISTRICT OF DELAWARE

844 NORTH KING STREET

Wilmington, Del. 19801

U.S.M.S.
 X-RAY

LEGAL DOCUMENT

1980143519

